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13 January 1972

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with Senator Dominick re S. 2515, Equal  
Employment Opportunities Enforcement Act of 1971

1. Together with Mr. Maury, met with Senator Peter Dominick (R., Colo.) and his Legislative Assistant, Dan Moyle, for the purpose of explaining first, our problem with the Federal employee provision of S. 2515 and second, the proposed amendment we had worked out with the staff of the Senate Labor and Public Welfare Committee, of which the Senator is a member, in addition to being a member of the CIA Subcommittee of Armed Services.
2. The Senator concurred with our position and said our most effective argument is that in contesting court action there necessarily is disclosed information concerning Agency employees, organization, functions, etc., which should not be disclosed and is otherwise protected by statute. He said that even Senators who are generally unsympathetic to the Agency (Nelson, Tunney, Cranston) would buy this argument but would be repelled by other arguments such as the need for preserving the Director's 102(c) termination authority and protecting against harassment by discontented applicants or employees.
3. Dominick concurred in the strategy of either Senator Harrison Williams (D., N. J.), Chairman of the Labor and Public Welfare Committee, or Senator Jacob Javits (R., N. Y.), Ranking Minority Member of the full Committee, introducing the proposed amendment and said its chance for adoption would then be good. He felt sure that Javits would do it for us and placed a call to set up a meeting, but finding that Javits was out of town, asked Javits' office to set up an appointment for Mr. Maury when the Senator returns tomorrow.
4. Dominick said that because of his position on the basic legislation he would be the wrong person to propose the amendment, and if he did it would probably be defeated, but that as a last resort he would do it. In that case he would want to marshal behind him all Federal agencies who might back the amendment.

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5. A copy of the language of the proposed amendment and suggested floor statement was left with Mr. Moyle.

6. After the meeting with Dominick, I met with Donald Elisburg, Associate Counsel, Labor Subcommittee, informed him of the outcome of the meeting with Senator Dominick, and gave him our proposed amendment and accompanying floor statement. I told him that as soon as we got the green light from the Civil Service Commission we would alert him and that we were still relying principally upon him and Eugene Mittelman, General Counsel of the Minority Staff of the full Committee, to assure that either Williams or Javits would move the adoption of the amendment, even though we were carrying through on Senator Dominick's recommendation that we see Javits and Williams personally. Elisburg said he understood this and would advise Mittelman of these developments when he returns from California tomorrow.

7. Upon return to Headquarters, Colonel White was briefed on the above and will follow through with Bernard Rosen, of the Civil Service Commission, to try to get his agreement with our position so that we can close out the last outstanding requirement with the Committee staff.

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Assistant Legislative Counsel

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